

Honorable Barbara J. Rothstein

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

DEVELOPERS SURETY AND INDEMNITY  
COMPANY,

Plaintiff,

vs.

ADAMS RESIDENTIAL CONTRACTING,  
INC.,

Defendant.

No. 2:20-cv-00912-BJR

**DECLARATION OF ERIKA FLOYD IN  
SUPPORT OF PLAINTIFF'S MOTION  
FOR SUMMARY JUDGMENT**

**NOTED FOR HEARING:  
FRIDAY, SEPTEMBER 18, 2020**

I, Erika Floyd, declare the following:

1. I am over eighteen years of age and am competent to make this declaration of my own personal knowledge.

2. I am a Senior Claims Analyst for Claims Resource Management, Inc. (CRMI), the third party claims administrator for Developers Surety and Indemnity Company. In its capacity as third party claims administrator CRMI has handled the claim submitted by Adams Residential Contracting, Inc. at issue in this lawsuit, claim number CRMI 47122. I am the claims representative that has handled this claim since its inception.

3. Attached as **Exhibit 1** is a true and accurate copy of policy number BIS00019250-03 issued by Developers Surety and Indemnity Company to defendant Adams

Declaration of Erika Floyd in Support of  
Plaintiff's Motion For Summary Judgment – 1  
Cause No.: 2:20-cv- 00912-BJR

2734758 / 1310.0024

**FORSBERG & UMLAUF, P.S.**  
ATTORNEYS AT LAW  
901 FIFTH AVENUE • SUITE 1400  
SEATTLE, WASHINGTON 98164  
(206) 689-8500 • (206) 689-8501 FAX

1 Residential Contracting, Inc. (Adams), with effective dates of June 19, 2016 to June 19, 2017.

2 4. On August 19, 2019, CRMI received the first notice of this claim by email when  
3 defendant's insurance broker reported Adams had been served with a Summons and Complaint  
4 in the underlying lawsuit giving rise to this matter. On August 20, 2019, I had a telephone  
5 conversation about the claim with Mr. Kevin Adams. After that conversation Mr. Adams and I  
6 exchanged emails about the claim process, which are attached as **Exhibit 2**.

7 5. On August 29, 2019, I sent a letter to Adams. A true and accurate copy of this  
8 letter is attached as **Exhibit 3**.

9 6. Attached as **Exhibit 4** is a copy of the text of a letter I sent to Adams on  
10 December 31, 2019. The original copy of this letter contained my signature, but the electronic  
11 copy kept in my files does not. Exhibit 4 is identical to the letter sent to Adams except for the  
12 absence of my signature.

13 I declare under the penalty of perjury of the laws of the State of California the above is  
14 true and correct.

15 Signed and dated this \_\_\_\_ day of August, 2020 in Acton, California.

16  
17 \_\_\_\_\_  
Erika Floyd

**CERTIFICATE OF SERVICE**

The undersigned certifies under the penalty of perjury under the laws of the State of Washington that I am now and at all times herein mentioned, a citizen of the United States, a resident of the State of Washington, over the age of eighteen years, not a party to or interested in the above-entitled action, and competent to be a witness herein.

On the date given below I caused to be served the foregoing DECLARATION OF ERIKA FLOYD WITH EXHIBITS on the following individual via the Court's ECF system which will give notice to:

Ms. Linda L. Foreman  
Foreman Sturm & Thede, LLP  
5825 60th St. S.E.  
Snohomish, WA 98290-5104  
Email: [linda@foremansturm.com](mailto:linda@foremansturm.com)

**SIGNED** this 27<sup>th</sup> day of August, 2020 at Everett, Washington.

s/ Denise Mary Pope  
Denise Mary Pope